

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

ROBERT BOSCH LLC AND DAIMLER AG,  
Petitioners

v.

ORBITAL AUSTRALIA PTY LTD  
F/K/A ORBITAL ENGINE COMPANY (AUSTRALIA) PTY. LTD.,  
Patent Owner

---

Case IPR2015-01258  
Patent 5,655,365

---

**DECLARATION OF ASHLEY F. CHEUNG**

I, Ashley F. Cheung, declare as follows:

1. I am a case manager at the law firm of Finnegan Henderson, Farabow, Garrett & Dunner, L.L.P.

2. On June 16, 2015, I filed the Petition for Inter Partes Review in Case IPR2015-01258 along with its associated Power of Attorney documents and Exhibits 1001 through 1011. On that same date, I also served all of these documents on the Patent Owner at the correspondence address of record listed on Public PAIR:

Charles Marmelstein  
Robert Murray, Jr.  
George Oram, Jr.  
Nikaido Marmelstein Murray & Oram  
655 15<sup>th</sup> Street, NW, Suite 330  
Metropolitan Square, G Street Lobby  
Washington, DC 20005

(See Appendices A and B).

3. I also served all of the documents on Orbital's litigation counsel Gregory Len on June 16, 2015. (See Appendix C).

4. Unfortunately, due to a clerical error, I inadvertently signed the Certificate of Service that listed the following address instead, which led to confusion about whether the Patent Owner was served properly.

Richard Berman  
Charles Marmelstein  
Robert Murray, Jr.

Rothwell, Figg, Ernst & Manbeck, P.C.  
607 14<sup>th</sup> Street, N.W.  
Suite 800  
Washington, DC 20005

5. On June 17, 2015, I learned from Federal Express that we were going to receive a returned envelope from them as the address listed in Paragraph 2 was undeliverable. (See Appendix D). After conferring with Lead and Back-up Counsel of record for the Petitioner, I located an address for Kevin Brown, the attorney who signed the issue fee transmittal for U.S. Patent No. 5,655,365. On the same date, I served the Petition for Inter Partes Review in Case IPR2015-01258 along with its associated Power of Attorney documents and Exhibits 1001 through 1011 on Kevin Brown at Burr & Brown, Attorneys at Law in Syracuse, New York. (See Appendix E).

6. On June 18, 2015, I received a letter from Kevin Brown indicating that he left the firm of Nikadio Marmelstein Murray & Oram in 1998 and he no longer represents Orbital Engine Company PTY., Ltd. (See Appendix F).

7. On June 22, 2015, I received a returned envelope from Federal Express including the documents originally sent on June 15, 2015. (See Appendix B).

8. To my knowledge, I completed service properly, except for signing the Certificate of Service that did not have the correct address.

9. I declare that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: July 7, 2015

By: /Ashley F. Cheung/

Ashley F. Cheung  
Case Manager

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP  
Two Freedom Square  
11955 Freedom Drive  
Reston, VA 20190-5675

# APPENDIX A

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.